


Appl. No. 10803429  
Amdt. Date: January 24, 2006  
Reply to Office action of: Oct. 26, 2005

REMARKS/ARGUMENTS

Of the original claims, 1-17, filed in the present application, claims 14, 15 and 17 were previously cancelled and new claim 18 was added. At this time claims 16 and 18 are withdrawn, claims 11 and 12 are amended to distinguish over US 4106130 so as to be placed into condition for allowance, and claim 13 is in condition for allowance therefore as well. Claims 1-10 have been previously allowed.

It is respectfully pointed out that US 4106130 ('130) teaches, in Fig. 1, a base 14 and a securement part 12 which extends normally from base 14. These two elements may be thought to correspond in instant Fig. 4, to contact member 10 and rib 40 respectively. Your applicant respectfully submit, however, that base 14, being planar, is not "configured for conforming to the surface of a lower portion of a female breast" as required in instant claim 11 and as is shown by the cupped shaped surface 15 in instant Fig. 4. Furthermore, securement part 12 in '130 is clearly not triangular in shape but rather has four sides with three of the four sides clearly shown in '130 Fig. 1, the fourth side engaged with base 14. As reflected in the instant disclosure, the triangular shape of rib 40 is particularly well adapted for establishing a comfortable fold within the lower surface of the breast. Clearly, the two quite pointed corners of the securement part 12 in '130 would not be able to be used for the same purpose as they would cause pain when pressed into flesh. Therefore, '130 does not teach the instant apparatus. Your applicant respectfully submits that the foregoing traverses the 35 USC 102(b) rejection of claims 11 and 12 as amended. Applicant respectfully requests that a timely Notice of Allowance be issued in this case for claims 1-13.

Respectfully submitted,

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